



RE: MN Nonmetallic Mining MNG49 Permit
Doucette, Elise (MPCA)

to:

Krista McKim

10/27/2011 04:58 PM

Cc:

"Udd, Jeff (MPCA)", "Kessler, Katrina (MPCA)", Kevin Pierard, Patrick Kuefler, Bob Newport
Hide Details

From: "Doucette, Elise (MPCA)" <Elise.Doucette@state.mn.us> Sort List...

To: Krista McKim/R5/USEPA/US@EPA

Cc: "Udd, Jeff (MPCA)" <Jeff.Udd@state.mn.us>, "Kessler, Katrina (MPCA)" <Katrina.Kessler@state.mn.us>, Kevin Pierard/R5/USEPA/US@EPA, Patrick Kuefler/R5/USEPA/US@EPA, Bob Newport/R5/USEPA/US@EPA

Krista:

We've discussed this issue internally, and have decided to require quarterly monitoring of dewatering activities. The limit will remain a calendar month average. Many of MPCA's permit limits are based on how the standards were developed. The frequency of sampling is based on other factors, such as the size of the facility, how many people they serve (for POTWs), and the level of production (for industries). The MPCA tiers it's sampling to take into account these and other factors. What we apply to the permit is a Calendar Month Average limit that will have quarterly sampling. We anticipate that only two or three of the quarters will have discharges, and they will report 'no flow' for the winter and possibly fall quarters.

As for enforcement, the permit requires them to verify any violation (exceedance of the permit limit) by collecting additional sampling (Section 9.31 of Draft Permit). If this second sample is not in excess of the limit, there are factors we would take into consideration when determining if the violation was a one-time event or on-going. If the sampling verification indicates a violation, then the Permittee must repair, replace, or modify BMPs (structural or non-structural) to bring the facility back into compliance. The violation would be for the reporting period. So if the reporting period is annually, they would be in violation for that year. (If it was quarterly, they would be in violation for that Quarter. Daily, for that day. Etc).

Again, let us know if this addresses your concerns.

Sincerely,
Elise

From: McKim.Krista@epamail.epa.gov [<mailto:McKim.Krista@epamail.epa.gov>]

Sent: Friday, October 21, 2011 3:16 PM

To: Doucette, Elise (MPCA)

Cc: Udd, Jeff (MPCA); Kessler, Katrina (MPCA); Pierard.Kevin@epamail.epa.gov; Kuefler.Patrick@epamail.epa.gov; Newport.Bob@epamail.epa.gov

Subject: Re: MN Nonmetallic Mining MNG49 Permit

Hi Elise,

Thank you for getting back to us. I'll be out of the office all next week, so I'm copying the management team on this.

Can you explain how the monitoring 2x per year will be adequate for average monthly limits? I still don't understand how you can determine if the facility is meeting average monthly with such infrequent sampling. Also, how will enforcement be handled? If a facility exceeds the limits at one monitoring event would they be assumed to be out of compliance since their previous monitoring event? If the facilities are discharging infrequently why not just ask them to report no discharge for the periods when they do not discharge?

Thanks,
Krista

Krista McKim, PE
Environmental Engineer
NPDES Programs Branch, Water Division
US Environmental Protection Agency
Region 5, WN-16J
77 W Jackson Blvd
Chicago, IL 60604
ph: 312.353.8270
fax: 312.697.2734
mckim.krista@epa.gov

-----"Doucette, Elise (MPCA)" <Elise.Doucette@state.mn.us> wrote: -----

To: Krista McKim/R5/USEPA/US@EPA
From: "Doucette, Elise (MPCA)" <Elise.Doucette@state.mn.us>
Date: 10/20/2011 05:00PM
Cc: "Udd, Jeff (MPCA)" <Jeff.Udd@state.mn.us>, "Kessler, Katrina (MPCA)" <Katrina.Kessler@state.mn.us>
Subject: MN Nonmetallic Mining MNG49 Permit

Krista:

Based on our conversation on Monday, MPCA has agreed to add the following to the MNG49 Permit:

Increase monitoring of dewatering activities from once per year to two times per year.

Add language in the permit that requires the following parameters be sampled prior to expiration and results submitted with the application for reissuance. Sampling will include:

Total Dissolved Solids

Hardness,

Oil and grease, surfactants

Antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, and zinc.

Aluminum, barium, boron, cobalt, iron, magnesium, manganese, molybdenum, total tin, total titanium

The new application will include this suite of parameters. This will be developed after MPCA has covered existing

ilities that are now eligible for coverage under this permit, including concrete facilities, ready-mix facilities, industrial sand dewatering, and dimension stone dewatering.

Monitoring waivers will be submitted for approval to MPCA Engineering staff. The web page will include specifications and guidance for the design of the control structure.

MPCA has prepared a draft of the guidance. It is currently being reviewed by Engineering staff. The permit will also state that the waiver is for monitoring; all effluent limits still apply to the discharge and the Permittee is expected to meet those limits based on the design of the control structure.

Please reply and let us know if this addresses your concerns.

Sincerely,

Elise M. Doucette

Planner Principal

Minnesota Pollution Control Agency

Phone: 651-757-2316

Fax: 651-297-2343

elise.doucette@state.mn.us